

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : KRUMMEL et al.
 Serial No. : 10/528,181
 Filed : October 30, 2006
 For : DEVICE FOR DETECTING AND DEVICE FOR MEASURING
 THE CONCENTRATION OF A SUBSTANCE
 Examiner : Marcus H. Tanningco
 Art Unit : 2884
 Confirmation No. : 6744

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 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on **December 18, 2008**.

Signature: /Wendy Espinal/
 Wendy Espinal

NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME
PURSUANT TO 37 C.F.R. §1.136(a)

SIR:

Applicants hereby appeal the Examiner's decision made in the Final Office Action dated June 18, 2008, finally rejecting claims 8-16 and 18 and objecting to claims 17 and 19. Applicants also respectfully request a **three-month extension of time** in which to file the Notice of Appeal from the final Office Action of June 18, 2008, for which a response period was set to expire on September 18, 2008. The three-month extended period for response expires on December 18, 2008.

Applicants previously petitioned for a **two-month extension of time** and authorized payment of the associated fee with the filing of the Rule 116 Amendment dated November 10, 2008. Therefore, the fee for obtaining the three-month extension of time is believed to be \$620 (\$1,110.00 less \$490 already paid).

The **\$1,160.00 fee** (37 C.F.R. § 41.20(b)(1) Notice of Appeal fee of \$540 and the extension fee of \$620) **is being paid by credit card**.

The Commissioner is hereby authorized to charge to Kenyon & Kenyon LLP, Deposit Account No. **11-0600**, payment of any additional fees required in connection with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. **11-0600**.

Respectfully submitted,

Date: December 18, 2008

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